

ENTERED

September 03, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	MAG. JUDGE NO. 2:19-MJ-3247
	§	
GUADALUPE ACOSTA	§	

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and

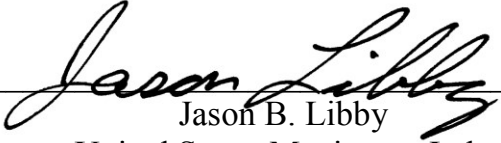
(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant meets the probable cause standard. The weight of the evidence is strong. The defendant has a serious substance abuse problem and has not presented a suitable release plan. Additionally, the Pretrial Services Report indicates the defendant was on bond for a felony offense at the time of the commission of the instant offense. Additionally, while the defendant was released on bond in March 2019 by the state authorities for the conduct which forms the basis of the underlying

offense, he was thereafter arrested for a separate weapons offense. The defendant has either been unwilling or unable to comply with conditions of release. The findings and conclusions contained in the Pretrial Services Report are adopted.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 3rd day of September 2019.



Jason B. Libby
United States Magistrate Judge